

### REMARKS

This amendment is being filed along with a Request for Continued Examination (RCE) application in response to the final Office Action having a mailing date of April 19, 2006. Claims 1, 11-12, 16, and 18-22 are amended as shown. New claims 23-27 have been added. No new matter has been added. With this amendment, claims 1-27 are pending in the application.

#### I. Discussion of the Claims

In the final Office Action, claims 1-4, 12, and 16-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kenny (U.S. Patent Publication No. 20040036595). Claims 5-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenny in further view of applicant's admitted prior art. Claims 13-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenny in further view of Paulsen (U.S. Patent Publication No. 20050116823). It is respectfully submitted that these rejections are overcome in view of at least the amendments above and the arguments below.

Independent claim 1 as amended recites, *inter alia*, that the time intervals " $t_j$  and  $t_{j+1}$  are time intervals of different lengths." In rejecting claim 1, the final Office Action stated that in Kenny, the "LF signal is transmitted before the HF signal and is therefore transmitted at different time interval because they are not transmitted at the same time" (emphasis ours).

Claim 1 as amended clarifies that the time intervals  $t_j$  and  $t_{j+1}$  have different lengths. This amendment to claim 1 is also believed to distinguish over the particular interpretation of Kenny provided in the final Office Action. That is, while the LF and HF signals of Kenny may be interpreted as being transmitted at different time intervals because they are not transmitted at the same time, nothing is disclosed, taught, or suggested in Kenny that his LF and HF signals are transmitted during time intervals having different lengths. Indeed, absolutely nothing is even explicitly mentioned in Kenny (such as in paragraphs [0018], [0019], and [0033]) regarding "time intervals" and lengths thereof for sending his LF and HF signals. Accordingly, claim 1 is allowable.

Independent claim 12 as amended recites, *inter alia*, "sending a first power at a first frequency to a plurality of tags during a first time interval having a first length" and "the

second power being sent during a second time interval having a second length that is different than the first length of the first time interval.” As explained above, Kenny does not disclose, teach, or suggest time intervals having different lengths. Therefore, claim 12 is allowable.

Independent claims 18, 19, and 21 are amended to recite, *inter alia*, a first time interval having a first length, and a second time interval having a second length that is different than the first length of the first time interval. Since these features are not disclosed, taught, or suggested by Kenny, claims 18, 19, and 21 are allowable.

Dependent claims 20 and 22 cover embodiments where the first length of the first time interval is greater than the second length of the second time interval. The relative lengths of time intervals (as well as time intervals themselves) are nowhere disclosed, taught, or suggested by Kenny. Therefore, claims 20 and 22 are allowable.

In rejecting dependent claims 13-15, the final Office Action has cited Paulsen to supply the missing teachings of Kenny. Specifically, the final Office Action has cited paragraph 0053] of Paulsen, which discloses a reset block 528 that receives a reset signal to allow a memory 520 to be cleared (reset). However, the present applicants respectfully note that Paulsen was filed on June 15, 2004 and claims priority from U.S. Provisional Patent Application Serial No. 60/527,110, filed on December 3, 2003.

The present application was filed on February 12, 2004, which predates Paulsen’s non-provisional filing date of June 15, 2004. Accordingly, for Paulsen to be a valid reference against the present application, Paulsen’s priority U.S. Provisional Patent Application Serial No. 60/527,110 (filed on December 3, 2003) must disclose the same subject matter that is presently being cited against claims 13-15.

The present applicants have obtained and reviewed the disclosure of U.S. Provisional Patent Application Serial No. 60/527,110, and cannot find anything disclosed, taught, or suggested therein involving the reset functions cited by the final Office Action from Paulsen’s non-provisional application. Accordingly, the cited reset function and related features in Paulsen are not entitled to the December 3, 2003 filing date of the provisional application, and are instead entitled only to the non-provisional filing date of June 15, 2004. Since June 15, 2004

is subsequent to the filing date of the present application, Paulsen is not a valid reference in rejecting claims 13-15. Therefore, claims 13-15 are allowable.

Various other amendments are made to the claims as shown to provide proper antecedent basis, to make typographical corrections, to more precisely recite the elements contained therein, to make language consistent among the claims, and/or to otherwise place such claims in better form.

## II. Information Disclosure Statement and Other Remarks

A supplemental Information Disclosure Statement (IDS) and form PTO-1449 having references listed thereon are being submitted with this amendment. Because this IDS is being filed along with an RCE, a fee is not required for this IDS. The Examiner is kindly requested to return an initialed copy of the form PTO-1449 along with the next communication to confirm that the references listed thereon have been considered and made of record.

A Substitute Specification was filed along with the amendment of February 1, 2006. The amendment stated that no new matter has been added to the application. It is further explicitly stated herein that the previously filed Substitute Specification contains no new matter.

## III. Conclusion

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

Application No. 10/779,320  
Reply to Office Action dated April 19, 2006

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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